

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

RANDY WEINBERG,  
Plaintiff,

v.

STATE OF CONNECTICUT  
DEPARTMENT OF REVENUE,  
SERVICES AND MARK D. BOUGHTON,  
Defendants.

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CIVIL CASE NO.  
3:21-CV-00155 (JCH)

NOVEMBER 3, 2021

**ORDER REGARDING DEFENDANTS' MOTION TO DISMISS (DOC. NO. 20)**

Plaintiff Randy Weinberg brought this action on February 5, 2021, seeking, inter alia, a declaratory judgment that Conn. Gen. Stat. section 12-651 is unconstitutional and a permanent injunction enjoining defendants “from trying to collect any sum assessed against the Plaintiff in any fashion” under the same statute. Compl. at ¶ 41 (Doc. No. 1). Defendants subsequently moved to dismiss the Complaint in its entirety. See Mot. to Dismiss (Doc. No. 20). Plaintiff opposed that Motion, see Mem. of Law in Opp’n to the Defs.’ Mot. to Dismiss (Doc. No. 21), and defendants filed a Reply on April 29, 2021. See Reply Brief in Supp. of the Defs.’ Mot. to Dismiss (Doc. No. 23).

Subsequently, on June 22, 2021, Governor Lamont signed into law June Special Session, Public Act No. 21-1. See generally C.G.S.A., June Sp. Sess., P.A. 21-1; Press Release, Governor Ned Lamont, Governor Lamont Signs Bill Legalizing and Safely Regulating Adult-Use Cannabis (June 22, 2021), <https://portal.ct.gov/office-of-the-governor/news/press-releases/2021/06-2021/governor-lamont-signs-bill-legalizing-and-safely-regulating-adult-use-cannabis>. Section 173 of the Act repealed “[s]ections 12-651 to 12-660, inclusive . . . of the [Connecticut] general statutes.” C.G.S.A., June Sp.

Sess., P.A. 21-1, § 173. In addition, section 130 of the Act repealed section 12-650 of the general statutes and substituted the following in lieu thereof:

Notwithstanding the provisions of this chapter, revision of 1958, revised to January 1, 2021, any outstanding liabilities or assessments, or any portion thereof, made under said chapter related to the sale, purchase, acquisition or possession within the state or the transport or importation into the state, of marijuana, as defined in section 21a-240, shall be cancelled. The Commissioner of Revenue Services may take any action necessary to effectuate the cancellation of such liabilities and assessments. No cancellation of a liability or an assessment pursuant to this section shall entitle any person affected by such cancellation to a refund or credit of any amount previously paid or collected in connection with such liability or assessment.

Id. at § 130. Both these changes were effective as of July 1, 2021.

In light of this change of law, the parties are directed to file a Joint Status Report within **21 days** of the date of this Order. The Report should address any change in the parties' positions, e.g., if the case is moot in whole or in part, caused by the change in law.

**SO ORDERED.**

Dated at New Haven, Connecticut this 3rd day of November 2021.

/s/ Janet C. Hall  
Janet C. Hall  
United States District Judge